

**IN THE UNITED STATES PATENT AND TRADEMARK OFFICE**

In re Application of: Dianne ELLIS et al. ) Examiner: Singh-Pandey, Arti R  
 )  
Application No.: 10/699,425 ) Group Art Unit: 1794  
 )  
Filed: October 31, 2003 ) Confirmation No.: 3280  
 )  
Docket No.: 02-292 )

**SUPPLEMENTAL INFORMATION DISCLOSURE STATEMENT**

Commissioner for Patents  
P. O. Box 1450  
Alexandria, VA 22313-1450

May 14, 2009

Sir:

Further to the applicants' submission of an Information Disclosure Statement (form PTO/SB/08a) in the above-captioned matter on February 19, 2008, the applicants provide the following status update on a co-pending U.S. application which was previously handled by the Examiner identified in the above-captioned application.

*U.S.S.N. 10/762,945* (Applicant Docket No. 02-299): currently pending; non-final Office Action mailed May 8, 2009, and newly cited references therein are listed on a concurrently filed form PTO/SB/08a.

The above information is presented so that the Patent and Trademark Office can determine any possible materiality thereof to the claimed invention. *See* 37 CFR 1.104(a) and 1.106(b) concerning the PTO duty to consider and use any such information. It is respectfully requested that the information be expressly considered during the prosecution of this application.

This submission does not represent that a search has been made or that no better art exists and does not constitute an admission that each or all of the listed documents are material or constitute "prior art." If the Examiner applies any of the documents as prior art against any claim in this application and applicant determines that the cited documents do not constitute "prior art" under United States law, applicant reserves the right to present to the office the relevant facts and law regarding the appropriate status of such documents.

Applicants further reserve the right to take appropriate action to establish the patentability of the disclosed invention over the listed documents should one or more of the documents be applied against the claims of the present application.

It is believed that no fee is required to make this a complete and timely filing. However, if it is determined that a petition or fee is required, the Commissioner is hereby authorized to charge any fee associated with this statement to our Deposit Account No. 50-0925 and please consider this a petition.

Respectfully submitted,

/Ramon R. Hoch/

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